Control and Management of Hazardous Materials Bylaw Contingency Plan
The Bedford Experience

Background - the Town of Bedford

- Founded in 1729
- Comprised of 13.9 square miles
- Population as of January 1, 2013 - 14,020

Purpose of Registration and Contingency Plan

- Provide Rules and Guidelines for the safe transport, handling, storage, management and disposal of hazardous materials used in commercial, industrial or other non-residential settings.
- Minimize, prevent or eliminate adverse environmental effects.
- Preserve, Protect and Allow for Remediation of Existing Water Resources
- Protect Public Health

History

- Releases (leaks and spills) of hazardous materials by past business and military operations in the town have impacted soil and groundwater.
- Elevated hazardous materials concentrations were detected in the groundwater aquifer in certain areas of town and resulted in the contamination of town drinking water wells.
- As a result, 9 town drinking water wells were decommissioned.
- Although 3 town wells are still in use, due to the closure of the other town wells, the majority of Bedford's drinking water is purchased from the Massachusetts Water Resources Authority.

Cost of Purchasing Water

- The cost of purchasing water vs. use of town well water is significant.
- In Fiscal Year 1978, the total water cost to the town was $414,891 and in Fiscal Year 2012, the cost was $1,328,106.

Bylaw Requirements

For Bedford Businesses that store, generate or use hazardous materials, including hazardous waste:

- Annual review, update and submittal of a Contingency Plan to outline the protocols, contacts and procedures in the event of a release of hazardous materials.
- Train staff on proper hazardous materials handling and spill identification and response.
- Train staff on what comprises a Hazardous Material. As defined in 310 CMR 40.000: *Massachusetts Contingency Plan*, a Hazardous Material includes but is not limited to, any material in whatever form which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment, when improperly stored, treated, transported, disposed of, used, or otherwise managed. The term shall not

include oil, but shall include waste oil and all those substances which are included under 42 U.S.C. § 9601(14), but it is not limited to those substances. The term shall also include, but is not limited to, material regulated as hazardous waste or recyclable material under 310 CMR 30.000: *Hazardous Waste*.

Methods of preventing future environmental impact from spills and releases

- Proper delivery, storage, use and inventory practices with reconciliation.
- Staff and vendor training on materials handling, transport and storage.
- Mechanisms in place (e.g. closed ended drains, holding tanks, piping shut off valves, secondary containment) at the facility to detect and contain potential spills.
- Employ the principal of toxic use reduction by reducing the use of toxic chemicals, using of non- or less-toxic materials and conserving other resources, such as energy, water and waste.

In an effort to prevent further releases in Town, protect unimpacted areas and allow clean-up efforts to be completed without release exacerbation, the Control and Management of Hazardous Materials Bylaw was established and is enforced by the Bedford Board of Health.